

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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TRUSTEES OF THE DISTRICT COUNCIL 9  
PAINTING INDUSTRY INSURANCE AND  
ANNUITY FUNDS,

(CLB)  
Index No.: 07-CIV-6442 (SCR)

Plaintiffs,

**VOLUNTARY NOTICE**  
**OF DISMISSAL**

-against-

*Order*

MID TOWN INDUSTRIES INC.,

Defendant.  
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Please take notice that pursuant to Federal Rules of Civil Procedure 41(a)(1)(i) the plaintiffs by the undersigned attorney of record hereby voluntarily dismisses the above entitled action. Without Prejudice.

Dated: September 17, 2007  
Elmsford, New York

*Dana L. Henke*

Dana L. Henke, Esq. (DLH3025)  
Attorney for Plaintiff  
258 Saw Mill River Road  
Elmsford, New York 10523  
(914) 592-1515

SO ORDERED *September 24, 2007*

*Charles L. Brieant*  
Honorable Stephen C. Robinson, U.S.D.J.

Hon. Charles L. Brieant  
United States District Judge  
300 Quarropas Street  
White Plains, New York 10601 4150